

Aaron Greenspan (*Pro Se*)  
956 Carolina Street  
San Francisco, CA 94107-3337  
Phone: +1 415 670 9350  
Fax: +1 415 373 3959  
E-Mail: aaron.greenspan@plainsite.org

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Case No. 3:20-cv-03426-JD

AARON GREENSPAN,

Plaintiff,

v.

OMAR QAZI, SMICK ENTERPRISES, INC.,  
ELON MUSK, and TESLA, INC.,

Defendants.

**DECLARATION OF AARON  
GREENSPAN IN SUPPORT OF  
PLAINTIFF'S EMERGENCY  
MOTION FOR ORDER TO  
PRESERVE EVIDENCE**

I, Aaron Greenspan, declare as follows:

1. On or around August 29, 2021, I became aware that Omar Qazi, a defendant in this action, intends to sell his car, a Tesla Model 3, at auction via a website called carsandbids.com.

2. The primary hyperlink to Omar Qazi's vehicle on carsandbids.com is <https://carsandbids.com/auctions/rNdqRzbk/2018-tesla-model-3-long-range>.

3. As of August 31, 2021, eight bids have been placed for the vehicle.

4. I believe that Omar Qazi's vehicle contains evidence material to this litigation and that if the vehicle is sold, such evidence will be destroyed and irretrievable.


5. I wrote to Omar Qazi's counsel on August 29, 2021 at 11:49 A.M. via e-mail requesting a response regarding the vehicle auction by "Monday at 5:00 P.M. at the latest." I did not receive a response to this message from counsel.

1           6.       As Exhibit A, I have attached a true and correct copy of my e-mail regarding the  
2 vehicle sale to Karl Kronenberger of Kronenberger Rosenfeld LLP, representing Omar Qazi and  
3 Smick Enterprises, Inc.

4           7.       As Exhibit B, I have attached a true and correct copy of a post on the  
5 @WholeMarsBlog Twitter account dated August 29, 2021 at 1:02 P.M.

6           I declare under penalty of perjury under the laws of the United States that the above  
7 statements are true and correct and that this declaration was executed on July 2, 2021 in San  
8 Francisco, California.

9  
10 Dated: August 31, 2021

11  
12   
13 Aaron Greenspan

**EXHIBIT A**

August 29, 2021 E-Mail Correspondence with Kronenberger Rosenfeld LLP

**From:** Aaron Greenspan aaron.greenspan@PLAINSITE.ORG   
**Subject:** Omar's Car  
**Date:** August 29, 2021 at 11:49 AM  
**To:** Karl Kronenberger karl@krinternetlaw.com  
**Cc:** Jeff Rosenfeld jeff@krinternetlaw.com, Liana Chen liana@krinternetlaw.com, Kate Hollist kate@krinternetlaw.com

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Karl,

It appears that Omar is selling his car, presumably to finance a lawsuit against me (or his current legal defense, or both). See <https://twitter.com/WholeMarsBlog/status/1430675480919777284> and <https://carsandbids.com/auctions/rNdqRzbk/2018-tesla-model-3-long-range?c=all>.

As we have discussed, Omar has no valid claims against me, my family or any of my companies including but not limited to Think Computer Foundation, and any such lawsuit will be met with Rule 11 sanctions and anti-SLAPP motions.

More importantly, Omar's Tesla Model 3 both is evidence and contains evidence relevant to the ongoing litigation. Omar claims that the car was signed by Elon Musk, which I allege is material to their working relationship in the Fourth Amended Complaint. His navigation history, to the extent it records travel to the offices and/or facilities of Tesla and/or SpaceX or home(s) of Elon Musk, telephone records, and other digital data stored on the car, such as information pertaining to his contract(s) with Tesla to test "Full Self-Driving" ("FSD"), as well as the specific timestamps related to his FSD testing, are pertinent to the claims at issue.

Either the car's data needs to be completely backed up somehow before it is sold, or it cannot be sold until after the litigation is complete. For now, I will interpret any sale or transfer of the car as willful destruction of evidence.

Please respond to affirm your understanding of this message by Monday at 5:00 P.M. at the latest. If you do not I will motion for an order prohibiting the sale of the car. I would also remind you and Omar generally of your duty to preserve all evidence.

Aaron

PlainSite I <https://www.plainsite.org>



20210825.qazi.  
pdf



20210829.aucti  
on.pdf

**EXHIBIT B**

August 29, 2021 @WholeMarsBlog Twitter Account Post

#

⚙️

←

Tweet

Whole Mars Catalog

@WholeMarsBlog

You're going down Aaron 😏

1:02 PM · Aug 29, 2021 · Twitter for iPhone

1 Retweet 210 Likes

💬

↺

❤️

📤

Abd @doitabdo · 2h

Replying to @WholeMarsBlog

GIF

💬

↺

❤️ 3

📤

Maxhusar @maxhusar · 2h

Replying to @WholeMarsBlog

Cant wait!

GIF

💬

↺

❤️ 1

📤

adam @adamhoov · 2h

Replying to @WholeMarsBlog

Maybe when he loses everything he'll learn to be a good human

💬 8

↺

❤️ 35

📤

MediocreGodOfSomewhatMischief 🤪 @kkamalx · 2h

Doubt that

💬 1

↺

❤️ 7

📤

AreDeutz calls BS on the MSM. @DeutzAre · 2h

Would take hundreds of therapy sessions to achieve that, if ever.

💬

↺

❤️ 4

📤

Chansoo Byeon @ByeonChansoo · 2h

Replying to @WholeMarsBlog

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Whole Mars Catalog

@WholeMarsBlog

part 24 hour EV news channel / part shitty stand up comedy routine. Testing Tesla FSD Beta

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